



UNITED STATES PATENT AND TRADEMARK OFFICE

RF

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,968	10/26/2000	Wataru Tanaka	001360	2962

7590

09/09/2003

Armstrong Westerman Hattori McLeland & Naughton
1725 K Street NW
Suite 1000
Washington, DC 20006

EXAMINER

PHAN, THANH S

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/695,968

Applicant(s)

TANAKA ET AL.

Examiner

Thanh S Phan

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☒ Claim(s) 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP# 11177261 in view of the prior art of Gamble et al. [6,259,599]; Gamble hereinafter.

Regarding claim 4, JP # 11177261 discloses an internal component assembly comprising: an internal component (reference 1) for an electronic apparatus; a fixation member (Figure b, portion perpendicular to 2) stationary on the internal component; an erect plate (reference 2) continuously extending from the fixation member so as to stand on an outer surface of the internal component; and a shock absorbing member (references 4, 5) adhered on front and back sides of the erect plate.

JP# 11177261 discloses the claimed invention except for the shock member adhered by an adhesive.

Gamble discloses a shock absorbing apparatus comprising an adhesive [column1, lines 23-27].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the adhesive of Gable with JP# 11177261 for the purpose of attaching the shock absorbing member.

Regarding claim 5, JP # 11177261 further discloses the internal component assembly according to claim 4, wherein said shock absorbing member is an elastic thin piece (page 3, translation to relevant portion).

Regarding claim 6. JP # further discloses the internal component assembly according to claim 4, wherein said fixation member is detachably attached to the internal component (page 1, translation to Relevant Portion, lines 30-32).

Regarding claim 7. JP # 11177261 discloses a shock absorbing apparatus comprising: a fixation member (Figure b, portion perpendicular to 2) stationary on an internal component (reference 1) designed to be installed in an electronic apparatus; an erect plate (reference 2) continuously extending from the fixation member so as to stand on an outer surface of the internal component; and a shock absorbing member (references 4, 5) adhered on front and back sides of the erect plate.

JP# 11177261 discloses the claimed invention except for the shock member adhered by an adhesive.

Gamble discloses a shock absorbing apparatus comprising an adhesive [column1, lines 23-27].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the adhesive of Gable with JP# 11177261 for the purpose of attaching the shock absorbing member.

Regarding claim 8. JP # 11177261 further discloses the shock absorbing apparatus according to claim 7, wherein said shock absorbing member is an elastic thin piece (page 3, translation to relevant portion).

Regarding claim 9. JP # 11177261 further discloses the shock absorbing apparatus according to claim 7, wherein said fixation member is detachably attached to the internal component (page 1, translation to Relevant Portion, lines 30-32).

Response to Arguments

Applicant's arguments with respect to claims 4-9 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 1-3 are allowed.

The following is an examiner's statement of reasons for allowance:

Neither the cited references or the references cited discloses a holder member coupled on the shock absorbing member on the front side of the erect plate so as to hold the erect plate as well as the shock absorbing member between the receiving section and the holder member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

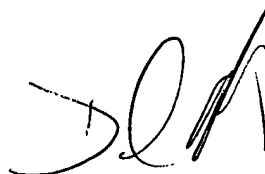
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 703-305-0069. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S Martin can be reached on 703-308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7722 for regular communications and 703-305-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TSP
August 24, 2003



DAVID MARTIN
SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2800

Application/Control Number: 09/695,968
Art Unit: 2841

Page 6